

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

SEP 14 2006
JOHN F. CORCORAN, CLERK
BY:
DEPUTY CLERK

JOSEPH SARTAIN,
Plaintiff,
v.
C/O ROBINSON,
Defendant.

) Civil Action No. 7:06CV00537
) FINAL ORDER
) By: Hon. Glen E. Conrad
) United States District Judge

In accordance with the accompanying memorandum opinion, it is now

ORDERED

as follows:

1. Plaintiff's motion to amend shall be and hereby is **GRANTED**;
2. Plaintiff's complaint shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1); and
3. Plaintiff's motion to proceed in forma pauperis shall be and hereby is **DISMISSED** as moot.

The Clerk is directed to strike this action from the active docket of the court. The Clerk is further directed to send certified copies of this order and the accompanying memorandum opinion to the plaintiff and counsel of record for the defendant.

ENTER: This 13th day of September, 2006.

Glen Conrad

United States District Judge